

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

October 23, 1947  
10:40 A.M.

Council Chamber, City Hall

The meeting was called to order, with Mayor Miller presiding.

Roll call

Present: Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and  
Councilman Thornberry

Absent : None

Present also: Guiton Morgan, City Manager; J. E. Motheral, Director  
of Public Works; Trueman E. O'Quinn, City Attorney; and R. D. Thorp, Chief  
of Police.

The reading of the Minutes was dispensed with.

Councilman Johnson offered the following resolution and moved its  
adoption:

(RESOLUTION)

WHEREAS, Texas Public Service Company has presented to the City  
Council tentative maps or plans showing the proposed construction of its  
gas mains in the streets in the City of Austin hereafter named, and said  
maps or plans have been considered by the City Council; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Texas Public Service Company be and the same is hereby permitted  
to lay and construct its gas mains in and upon the following streets:

- (1) A gas main in SOUTH 4TH STREET, from West Live Oak Street  
northerly 150 feet, the centerline of which gas main shall  
be 13.5 feet west of and parallel to the east property  
line of said South 4th Street.

Said gas main described above shall have a cover of not  
less than  $2\frac{1}{2}$  feet.

- (2) A gas main in CHESTNUT AVENUE, from a point 183 feet north of East 21st Street southerly 148 feet, the centerline of which gas main shall be 7.5 feet east of and parallel to the west property line of said Chestnut Avenue.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

- (3) A gas main in AVENUE A, from a point 137 feet north of West 45th Street northerly 98 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said Avenue A.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

- (4) A gas main in MARCELL STREET, from Odell Street to Croslin Street, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said Marcell Street.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet,

- (5) A gas main in CROSLIN STREET, from Marcell Street easterly 304 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said Croslin Street.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the Department of Public Works not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

And that whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

That the work and laying of said gas mains, including the excavation in the streets and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchise granted to said Company by the City of Austin.

Which motion, carrying with it the adoption of the resolution, carried by the following vote;

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and  
Councilman Thornberry

Noes : None

The application of LEE ROY OSCAR MCDONALD, Colored, 1128 Salina Street, for a license to operate as a taxicab a 4-door Mercury Sedan, 1947 Model, Motor No. 799A-1694616, State License No. JC-4009, duly approved by the City Manager, was submitted. Councilman Thornberry moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and  
Councilman Thornberry

Noes : None

The application of FRANK BUTLER, 405 West 16th Street, for a license to operate as a taxicab a 4-door Packard Sedan, Motor No. F-23731, State License No. JC-5768, duly approved by the City Manager, was submitted. Councilman Thornberry moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and  
Councilman Thornberry

Noes : None

The application of ALBERT ELAM, 609 Davis Street, for a license to operate as a taxicab a Chevrolet Sedan, 1942 Model, 4-door, Motor No. BA-745118, State License No. JA-2805, duly approved by the City Manager, was submitted. Councilman Thornberry moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and  
Councilman Thornberry

Noes : None

The application of MRS. WILLIE OWENS, Travis Courts, for a license to operate as a taxicab a 4-door Chevrolet Sedan, 1947 Model, Motor No. EAC-37494, State License No. DD-29, duly approved by the City Manager, was submitted. Councilman Thornberry moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and  
Councilman Thornberry

Noes : None

The application of CHARLES B. JACKSON, 75 Anthony Street, for a license to operate as a taxicab a 4-door Chevrolet Sedan, 1946 Model, Motor No. DAA-96613, State License No. HY-3191, duly approved by the City Manager, was submitted. Councilman Thornberry moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and  
Councilman Thornberry

Noes : None

The application of LEE ROY OSCAR MCDONALD, Colored, 1128 Salina Street, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Glass moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and  
Councilman Thornberry

Noes : None

The application of DANIEL JAMES KING, Colored, 2003 East 10th Street, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Glass moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and  
Councilman Thornberry

Noes : None

The application of HERMAN EDMUND KOKEL, 3902 Avenue D, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Glass moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and  
Councilman Thornberry

Noes : None

The application of FREDERICK WILLIAM KUYUS, Route 6, Box 614, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Glass moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and  
Councilman Thornberry

Noes : None

The application of PAUL EUGENE SHONK, 405 West 16th Street, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Glass moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and  
Councilman Thornberry

Noes : None

The application of JOE ED HOWARD, 908 West 29th Street, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Glass moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and  
Councilman Thornberry

Noes : None

The application of STEWART SEARCY SHAFFER, 308 Le Grande Avenue, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Glass moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and  
Councilman Thornberry

Noes : None

The application of BLUE BIRD PACKAGE STORE NO. 3, by Dave H. Novy and Alfred Schweizer, 123 $\frac{1}{2}$  West 6th Street, for a package store license, duly approved by the City Manager, was submitted. Councilman Thornberry moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and  
Councilman Thornberry

Noes : None

The following applications for private boat licenses, duly approved by the Navigation Board, were submitted:

<u>Name of Owner</u>	<u>Description</u>
Baugh, Eric L., 500 West 6th Street -	Shop-made, Pontoon, Outboard, 4-passenger
Hickman, Raymond R., 2611 Lake Austin Boulevard -	Century, Inboard, 1947 Model, 6-passenger
Lind, Carl L.,	Home-made, Plywood, 1940 Model, Outboard, Evenrude, 6-passenger

Councilman Bartholomew moved that the licenses be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized to place orders for the necessary plates and sign posts for approximately 420 intersections, deliveries of same to be as early as practical in 1948.

Which motion, carrying with it the adoption of the resolution carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized to place orders for two Elgin Sweepers at an approximate cost of \$9,000.00 each, delivery to be made during 1948, such date to be as early in the year as possible.

Which motion, carrying with it the adoption of the resolution, carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

Councilman Glass introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF AUSTIN; PRESCRIBING PENALTIES FOR THE VIOLATION OF SAME; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN MAY 6, 1937, AND IS RECORDED IN BOOK "K", PAGES 159-179, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SECTIONS 22(e), 22(f), 23(b), AND 23(d), OF ARTICLE IV, RELATING RESPECTIVELY TO ONE HOUR PARKING, TWO HOUR PARKING, PASSENGER ZONE, AND LOADING ZONE LOCATIONS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Glass moved that the rule be suspended and the ordinance be passed to its second reading. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

The ordinance was read the second time and Councilman Glass moved that the rule be further suspended and the ordinance be passed to its third reading. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

The ordinance was read the third time and Councilman Glass moved that the ordinance be finally passed. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

Thereupon Mayor Miller announced that the ordinance had been finally passed.

Councilman Glass introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ESTABLISHING PARKING METER ZONES IN THE CITY OF AUSTIN; AND PROVIDING FOR THE REGULATION OF TRAFFIC THEREBY, WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN AUGUST 19, 1937, AND IS RECORDED IN BOOK "K", PAGES 281-286, INCLUSIVE OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SECTION 2 OF SAID ORDINANCE RELATING TO THE ESTABLISHMENT OF PARKING METER ZONES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Glass moved that the rule be suspended and the ordinance be passed to its second reading. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

The ordinance was read the second time and Councilman Glass moved that the rule be further suspended and the ordinance be passed to its third reading. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

The ordinance was read the third time and Councilman Glass moved that the ordinance be finally passed. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

Thereupon Mayor Miller announced that the ordinance had been finally passed.

Councilman Thornberry introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND RECORDED IN ORDINANCE BOOK "K", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT ON LOTS 11 TO 17, INCLUSIVE, OF BLOCK 6, OUTLOT 54, DIVISION "D"; AND CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT ON: (1) LOT 4, BLOCK 7, OAKMONT HEIGHTS ADDITION; (2) LOTS 9 TO 17, INCLUSIVE, BLOCK 5, PENN ADDITION, OUT OF OUTLOT 75, DIVISION "D"; AND (3) PORTIONS OF LOTS 1, 2, & 3, AND ALL OF LOTS 4 TO 8, INCLUSIVE, HILL VIEW ADDITION, OUT OF OUTLOT 76, DIVISION "D"; ALL OF SAID PROPERTY BEING IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Thornberry moved that the rule be suspended and the ordinance be passed to its

second reading. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and  
Councilman Thornberry

Noes : None

The ordinance was read the second time and Councilman Thornberry moved that the rule be further suspended and the ordinance be passed to its third reading. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and  
Councilman Thornberry

Noes : None

The ordinance was read the third time and Councilman Thornberry moved that the ordinance be finally passed. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and  
Councilman Thornberry

Noes : None

Thereupon Mayor Miller announced that the ordinance had been finally passed.

Milburn E. Lathan, co-partner in the operation of The Lariat, came before the Council in the matter of the application of The Lariat for a permit to sell beer at 219 West 8th Street, and protested the ruling by the City Attorney that the application be denied because the location is within three hundred feet of the First Presbyterian Church's front door and would be in violation of the State law and the City ordinance. After some discussion, the matter was taken under advisement pending further investigation by the City Attorney, the owners of The Lariat and the Pastor of the First Presbyterian Church.

The public hearing on the application of William Trenckmann, Attorney for property owners, for change in zoning, from "B" Residence District to "C" Commercial District, of the south one-half of Blocks 172 and 173, Original City, being the property facing south on East 14th Street between Brazos and Colorado Streets, which was continued from the last regular meeting in order that the proponents and opponents of the change might come to some agreement mutually satisfactory, was re-opened.

Attorney Trenckmann reported that the use his clients contemplated of the property if the change is granted is the erection of office buildings, and that the Kirby Estate had stated that their building would face Congress Avenue if and when erected. He further stated that it was agreeable to them that the change in zoning only extend to the alley in Block 173 instead of Colorado Street as originally applied for.

The Reverend F. G. Roesener, representing St. Martin's Evangelical Lutheran Church, stated that they withdrew their objections to the change since it was the purpose to erect office buildings on the property, but that they would object to a filling station on the corner; and further asked that all of the Church's property be included in the change.

Councilman Glass then moved that the hearing be closed and the change in zoning of the property under consideration, with the exception of the



property extending west from the alley to Colorado Street in Block 173, be granted, and the City Attorney be instructed to prepare the necessary ordinance for passage at the next regular meeting. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and  
Councilman Thornberry

Noes : None

The application of St. Martin's Evangelical Lutheran Church for change in zoning, from "B" Residence District to "C" Commercial District, of Lot 4, Block 172, Original City, was received. Councilman Johnson moved that the matter be referred to the Board of Adjustment for consideration and recommendation. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and  
Councilman Thornberry

Noes : None

The application of Joseph W. Robertson for change in zoning, from "B" Residence District to "C" Commercial District, of Lot 4, Block 173, Original City, known as 1408 Congress Avenue, was received. Councilman Johnson moved that the matter be referred to the Board of Adjustment for consideration and recommendation. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and  
Councilman Thornberry

Noes : None

Councilman Johnson then moved that public hearings on the foregoing applications for change in zoning of St. Martin's Evangelical Lutheran Church and Jos. W. Robertson be called for Thursday, November 13, 1947, at 11:00 A. M. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and  
Councilman Thornberry

Noes : None

The following report of the Board of Adjustment was received:

"October 16, 1947

Honorable Mayor and City Council  
City of Austin, Texas

Gentlemen:

Reference is made to a recommendation of the Board of Adjustment on the application of Mrs. Samuel E. Gideon dated September 18, 1947, for changing the zoning of property on Salado Street from "A" Residence District to "B" Residence District.

Since this recommendation was submitted, two additional property owners have made application in writing for a similar change of their property as set forth in the attached letters. The Board, therefore, desires to amend its former report to recommend that Lots A, C, and 5 be changed to "B" Residence District and Second Height and Area District

if Lots B and 6 are also included in the change, thus avoiding a checkered zone on the north end of this block.

Respectfully submitted,

BOARD OF ADJUSTMENT

By (Sgd) H. F. Kuehne  
Chairman . "

Pursuant to published notice thereof, the public hearing on the applications of George W. Bickler, Mrs. Kathleen Pratt, and Mrs. Samuel E. Gideon to amend the Zoning Ordinance in the following particulars:

To amend the USE designation of the following described property so as to change the same from "A" Residence District to "B" Residence District, to-wit:

Lot A(110'x114'), Outlot 64, Division "D", located at the southeast corner of West 28th Street and San Pedro Street, in the City of Austin, Travis County, Texas;

Lot 5, Outlot 64, Division "D", located on the west side of Salado Street 330' south of West 28th Street, in the City of Austin, Texas;

110'x171' of the south part of the north one-half of Block 64, Division "D", being located on the west side of Salado Street 110 feet south of West 28th Street, in the City of Austin, Travis County, Texas,

was opened.

Mrs. Samuel E. Gideon, proponent, plead for the change on the grounds that their property is almost surrounded by "B" Residence property, consisting of garage apartments, fraternity houses, and duplexes, which make it very undesirable as "A" Residence property, but if zoned "B", she could make use of her property for apartments.

Mrs. Kathleen Pratt, proponent, plead for the change on the grounds that she purchased her property thinking it was zoned "B" Residence; that a University student house operated there until it moved to another location; that she is now renting her property for a residence but the value of the property and the amount of money she gets for it makes its use as a residence impracticable; and that she wants to build on the rear of her lot to increase her revenue.

Geo. W. Bickler, proponent, also appeared in support of the change.

The following property owners appeared and protested the change, substantially as follows:

Dr. H. W. Newman, for himself and Dr. Frederick Eby, stated that

last year the City Council laid off a large plat and zoned it for fraternities and apartments but that these proponents did not get in on that "gravy" so are now asking for this zoning in order to sell their property at a high figure; that the claim of proponents that this is a neighborhood of boarding houses, apartments, and garage apartments is unfounded, that while there are a few garage apartments, it is a neighborhood of private residences, and their reason for asking for the change is to get more money for their property.

Mrs. Mary C. Rice, represented by Mr. Cochran, stated that she wanted to retain the present type of neighborhood and that there is enough "B" Residence property around the University now to take care of the present situation.

Dr. E. T. Miller declared that he would hate very much to see the character of this property changed as it is a quiet neighborhood now; that it is the desire of the three proponents to get as much as they can for their property and want the City to assist them to this end.

Mrs. Mary Landrum declared that this was a neighborhood of homes; that she has lived there a long time; that this is the third time this matter has been brought up; and furthermore that the street is much too narrow to take care of any more cars.

Dr. Edward Micek stated that he had invested his savings in a home there, and, while he likes students, he does not want them in the neighborhood of his home.

Several other property owners also appeared in person and protested the change.

The following written protests were received:

Mrs. J. Hart  
Anna W. Janzen  
Mrs. W. G. Franklin  
Dr. Robt. A. Law

All property owners or other interested persons having been given an opportunity to be heard, Councilman Thornberry moved that the matter be deferred to the next regular meeting in order for the City Council to make an inspection of the property on the ground. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and  
Councilman Thornberry

Noes : None

Pursuant to published notice thereof, the public hearing on the application of Paul O. Simms to amend the Zoning Ordinance in the following particulars;

To amend the USE designation of the following described property so as to change the same from "A" Residence District and "C" Commercial District to "D" Industrial District, to-wit:

Outlots 14 and 30, Division "O", being bounded on the east by Tillery Street, on the north by East 5th Street, on the west by Linden Street, and on the south by East 1st Street, in the City of Austin, Travis County, Texas,

was opened.

No property owner or other interested person appearing to protest the proposed change, Councilman Thornberry then moved that the action of the Board of Adjustment be sustained and the change be granted; and, further, that the City Attorney be instructed to prepare the ordinance making the change effective, for passage at the next regular meeting. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

Pursuant to published notice thereof, the public hearing on the application of W. L. Brown to amend the Zoning Ordinance in the following particular :

To amend the USE designation of the following described property so as to change the same from "A" Residence District to "C" Commercial District, to-wit:

The west 400 feet of a tract of land on the north side of East 51st Street, between Georgetown Road and Guadalupe Street, facing 100 feet on the Georgetown Road, in the City of Austin, Travis County, Texas,

was opened.

Gibson Randle, attorney for W. L. Brown, proponent, plead for the change on the grounds that this was an application to extend the present zoning back in order to put in a modern first-class tourist court; that proponent is not asking for a rezoning in order to sell the property, but to develop same and wants space for a modern, well-landscaped tourist court, which Mrs. Brown will operate; that the property is not desirable for residential development for to the south is State property, with its chicken houses and cow barns; to the west across Georgetown Road is a trailer camp and tourist court; to the north is a "C" Commercial District; that they cannot use this property except for commercial use since a residence erected there would have to be a third class one .

The following property owners appeared and protested the change, substantially as follows:

F. M. Hughs, 700 Zennia Street, declared that he had lived there over ten years and that it has been zoned as Residence District all that time; that the State intends to abolish the state farm to the south; that there have been thirty-five to forty houses built there by homeowners and there is not a rent house in the whole area and very few

vacant lots; and that they want to keep the property residential. He also submitted a petition signed by the property owners within two hundred feet, protesting the change.

E. C. Harsch, 615 Zennia Street, declared that he opposed the change to commercial; that the home owners there have invested all they have in their homes and have worked hard to pay for them; and that he feels it would be unjust to change this property to commercial.

Delbert L. Bonham, 607 Zennia Street, stated that he was very much opposed to changing the zone to commercial; that their deeds call for certain type of residences and if the change to commercial is made, approval by the Veterans Administration will not be possible; that proponent bought his property knowing it was zoned residential

Marvin R. Koenig, 703 Zennia Street, opposed the change as the proposed tourist court would be just back of his property with no street or alley between.

All property owners or other interested persons having been given an opportunity to be heard, Councilman Johnson moved that action on the matter be deferred to the next regular meeting in order for the City Council to make an inspection of the property on the ground. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

Pursuant to published notice thereof, the public hearing on the application of Mr. and Mrs. C. R. Railsback to amend the Zoning Ordinance in the following particular :

To amend the USE designation of the following described property so as to change the same from "A" Residence District to "C" Commercial District, to-wit:

Lots 13 and 14, Block 5, Highland Addition, being located on the east side of Duval Street 50 feet south of East 51st Street, in the City of Austin, Travis County, Texas,

was opened.

Mr. and Mrs. C. R. Railsback, proponents, plead for the change on the ground that all four corners are zoned as commercial and the property in question joins this commercial property, and that they intend to build a drug store on the property that will be an asset to the neighborhood and fill a need for same. They further stated that the following property owners were in favor of the change: J. L. Henderson; O.E. Eartz; Chas. S. Nichols; and Jos. A. Anderson.

The following property owner appeared and protested the change:

Mrs. Gladys Knibbe, 5012 Evans Avenue, who stated that she wished the property to remain as "A" Residence, and did not want a lot of business

there.

No other property owner or interested person desiring to be heard, Councilman Glass moved that the hearing be closed and the action of the Board of Adjustment not be sustained, but that the change be granted and the City Attorney be instructed to prepare the ordinance accordingly. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and  
Councilman Thornberry

Noes : None

A. K. Jarrell, representing Comfort, Inc., 411 Lamar Boulevard, came before the Council to appeal the action of the Building Inspector in refusing a permit to install a canvas top over a used car lot at 501 San Antonio Street as same did not comply with the Building Code requirements for structures in Fire Zone No. 1; and asked that the Ordinance be amended to permit the use of such material. The matter was referred to the Fire Chief and the Fire Marshal for a test of the material and their recommendations concerning same.

R. W. Chambers applied to the Council for a permit to operate a sightseeing bus, with licensed drivers, regular schedules, and proper indemnity insurance. The matter was referred to the City Manager and the City Attorney and Mr. Chambers to work out.

There being no further business, upon motion seconded and carried, the meeting was recessed at 1:25 P. M., subject to call of the Mayor.

*Tom Miller*  
APPROVED: \_\_\_\_\_  
MAYOR

Attest:

*Helene M. Keen*  
\_\_\_\_\_  
City Clerk